

## **REMARKS**

Upon entry of the present amendment, claims 1-37 will remain pending in this application. Claims 15-24 and 34-37 have been withdrawn from consideration. Claims 1-14 and 25-33 remain under consideration. Applicant respectfully submits that no new matter is added by the present amendment.

The Specification stands objected to. Claims 2-13 and 27-31 stand objected to. Claims 1, 3-7, 14, 26, and 28-32 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Oracle 8i as evidenced by at least the following reference: Oracle 8i Application Developer's Guide – Fundamentals (1999) ("Oracle"). Claim 25 stands rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 6,161,103 ("Rauer et al."). Claims 2, 8-13, 27, and 33 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Oracle 8i as evidenced by at least the following reference: Oracle 8i Application Developer's Guide – Fundamentals (1999) as applied to claims 1, 3-5, 14, 26, and 28-30 above and further in view of U.S. Patent No. 6,662,174 ("Shah et al.").

### ***Interview Summary***

Applicant's representative, Mr. Allen Oh, and Examiner Scott L. Jarrett participated in a telephonic interview on May 18, 2009 to discuss the claim amendments and remarks herein. The Examiner agreed to reevaluate the rejections in view of the amendments and remarks herein.

### ***Objections to the Specification***

The Specification stands objected to. In particular, it is asserted that the listing of references in the Specification is not a proper information disclosure statement. Applicant acknowledges Examiner's request for the cited reference A. Netz, OLAP Services: Semiadditive Measures and Inventory Snapshots in paragraph [0009] and provides herewith a copy of the reference.

Further, it is alleged that the title of the invention is not descriptive. Applicant has amended the title of the invention to more clearly indicate the invention to which the claims are directed.

In view of the above, Applicant respectfully requests that the objections to the Specification be reconsidered and withdrawn.

***Objections to the Claims***

Claims 2-13 and 27-31 stand objected to because they recite that the system/method enable a user to perform one or more actions. The Examiner has noted that the user does not actually perform any of the recited steps.

Applicant respectfully traverses the rejection. Applicant has amended claims 2-13 and 27-31 to more clearly recite steps of receiving input from the user, such that the user is actually performing (or causing the computer to perform) the recited steps. For example, claim 2 has been amended to recite the limitation “using an interface to receive input from a user to designate the measure as a semi-additive measure.” Claims 3-13 and 27-31 have been amended in similar fashion.

Accordingly, Applicant respectfully requests that the objections to claims 2-13 and 27-31 be reconsidered and withdrawn.

***Claim Rejections Under 35 U.S.C. § 102(b)***

Claims 1, 3-7, 14, 26, and 28-32 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Oracle. Regarding claims 1 and 14, the rejection is understood to be based on the premise that Oracle teaches a system and method comprising evaluating a parent member for a (first/second) account by aggregating (first/second) members (dimensions, facts, data elements, values, etc.) according to a (first/second) aggregation function wherein the first/second aggregation functions are different (*e.g.*, Roll-up, Cube, Totals, Sub-totals, etc.) as disclosed at paragraph 3 on page 20-2, the last paragraph on page 20-9, the last bullet item on page 20-12, paragraph 1 on page 20-13, and tables 20-1 – 20-2 and 20-10. The preamble of claims 1 and 14 has not been accorded patentable weight because it allegedly merely recites the purpose of a process or the intended use of a structure and the body of the claim allegedly does not depend on the preamble for completeness. It has been suggested that Applicant amend the claims to positively recite any intended limitations currently in the preamble in the body of the claims.

Further, it is alleged that Oracle further teaches aggregating a measure over a non-additive dimension (*e.g.*, a year) of a cube for (first/second) accounts (set of data) comprising a plurality of (first/second) members (data elements, values, etc.) of the non-additive dimension at page 20-12 and tables 20-1 – 20-2.

Applicant respectfully traverses the rejection. Applicant has amended claims 1 and 14 to incorporate the intended limitations that had been in the preamble into the body of the claims. Accordingly, these limitations should be accorded patentable weight.

While paragraph [0008] of the instant Specification states that “a common non-additive dimension is the time dimension,” the time dimension is characterized as non-additive in paragraph [0008] because, “with respect to the balance data discussed [in paragraph [0006]], the ‘Value’ measure is cumulative with respect to location but is not cumulative with respect to time. Balance is not cumulative with respect to time because balance measures instantaneous rather than cumulative value.”

By contrast, in the example disclosed in Oracle, time is an additive dimension because the sales and profit data contained, for example, in Tables 20-1 and 20-2 is cumulative with respect to location (Region), Department, and time (year, month, quarter). Indeed, the queries that are used to create subtotals and totals -- ROLLUP and CUBE -- appear to calculate sums of selected data rows. While Oracle discloses at page 20-13 that other aggregate functions, such as COUNT, AVG, MIN, MAX, STDDEV, and VARIANCE COUNT, can be used with the ROLLUP and CUBE queries, Applicant respectfully submits that because Tables 20-1 and 20-2 and the example queries shown at pages 20-6, 20-8, and 20-10 all use the SUM aggregate function to calculate subtotals and totals, time is an additive dimension in the context of the Oracle reference.

Further, Applicant notes that paragraph [0050] of the instant Specification states that “the term account, as used herein, refers to any dimension with members that are aggregated differently across another dimension. For example, in place of ‘Account’ dimension 502a, a cube may include a ‘Product’ dimension with two members: apples and oranges. If apples are aggregated differently than oranges across another dimension of the cube, then the ‘Product’ dimension may be considered an account dimension as the term is used herein.” It is not seen where Oracle discloses an account dimension as the term is defined in paragraph [0050]. Among the Time, Region, and Department dimensions disclosed at Table 20-3 of

Oracle, Applicant finds no suggestion that any of the dimensions contains members that are aggregated differently than any other members across other dimensions. For example, there is no suggestion that any region (West, Central, or East) is aggregated differently across years or departments than any other region, or that video sales are aggregated differently from video rentals across regions or years.

Based at least on the above reasoning, Applicant submits that Oracle fails to disclose at least the limitations “evaluating the parent member for a first account comprising a plurality of first members of the non-additive account dimension” and “evaluating the parent member for a second account comprising a plurality of second members of the non-additive account dimension.” In particular, Applicant submits that Oracle fails to disclose (1) a non-additive dimension, which is (2) an account dimension as defined in paragraph [0050] of the Specification, and also fails to disclose (3) first and second accounts within such a non-additive account dimension.

Accordingly, claim 1 is patentable over Oracle. Claims 14 and 26 are also patentable over Oracle for similar reasons as claim 1. Claims 3-7 and 28-32 depend from claims 1 and 26, respectively, and are also patentable over Oracle at least by reason of their dependency from claims 1 and 26.

Claim 25 stands rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Rauer et al. The rejection is understood to be based on the premise that Rauer et al. discloses a system and method for analytically modeling data comprising: providing a first interface comprising a plurality of first user-selectable elements, each first user-selectable element associated with a respective account type; receiving a user selection of at least two of the first user-selectable elements; defining the first and second accounts based on the selected first user-selectable elements; providing a second interface comprising a plurality of second user-selectable elements, each second user-selectable element associated with a respective non-additive aggregation function; for each of the first and second accounts, receiving a user selection of one of the second user-selectable elements; associating the first account with the non-additive aggregation function that is associated with the second user-selectable element that was selected for the first account; associating the second account with the non-additive aggregation function that is associated with the second user-selectable element that was selected for the second account; and evaluating the parent member by aggregating the first

members according to the non-additive aggregation function associated with the first account and by aggregating the second members according to the non-additive aggregation function associated with the second account. While not explicitly stated in the Office Action, it is believed that the preamble has not been accorded patentable weight.

Applicant respectfully traverses the rejection. Claim 25 has been amended to incorporate the limitation “defining, based on the selected first user-selectable elements, a first account comprising a plurality of first members of the non-additive dimension and a second account comprising a plurality of second members of the non-additive dimension, the non-additive dimension having a parent member that includes at least one child member selected from the first members and the second members” in the body of the claim rather than in the preamble. Accordingly, this limitation should be accorded patentable weight.

While Rauer et al. discloses defining an aggregate group 342 at column 15, lines 10-27, and discloses that the aggregate group 342 “defines how particular facts or dimensions are to be aggregated by the aggregate builder 170” at column 17, lines 45-48, it does not appear that Rauer et al. discloses defining a first account and a second account that comprise respective first members and second members of the same non-additive dimension, where the parent member is evaluated for the first and second accounts by aggregating the first members and second members using different aggregation functions. For example, the user interfaces depicted at Figures 28 and 30 of Rauer et al. do not appear to allow the user to specify different aggregation functions within a single non-additive dimension, as contrasted with, for example, Figure 10 of the instant Application.

Accordingly, Applicant respectfully submits that Rauer et al. fails to disclose at least the limitation “defining, based on the selected first user-selectable elements, a first account comprising a plurality of first members of the non-additive dimension and a second account comprising a plurality of second members of the non-additive dimension, the non-additive dimension having a parent member that includes at least one child member selected from the first members and the second members” and therefore fails to anticipate claim 25.

Based at least on the above remarks, Applicant respectfully submits that claims 1, 3-7, 14, 25-26, and 28-32 are patentable over the prior art of record and requests reconsideration and removal of the rejections under 35 U.S.C. § 102(b).

***Claim Rejections Under 35 U.S.C. § 103(a)***

Claims 2, 8-13, 27, and 33 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Oracle 8i as evidenced by at least the following reference: Oracle 8i Application Developer's Guide – Fundamentals (1999) as applied to claims 1, 3-5, 14, 26, and 28-30 above and further in view of Shah et al.

As per claims 2 and 27, the rejection is understood to be based in part on the premise that Oracle teaches the invention substantially as claimed, except for designating a measure as semi-additive. Shah et al. is cited as disclosing this limitation at column 5, lines 6-20, column 7, lines 59-68, and column 8, lines 1-15, as well as Fig. 5.

Applicant respectfully traverses the rejection. Even assuming *arguendo* that Shah et al. discloses designating a measure as semi-additive, Shah et al. nevertheless fails to supply the missing disclosure of the other limitations of claims 1 and 26 that are not disclosed in Oracle. In particular, it is not seen where Shah et al. discloses an account dimension as defined in paragraph [0050] of the instant Specification and as recited in claims 1 and 26, from which claims 2 and 27 depend. Accordingly, claims 2 and 27 are patentable over Oracle in view of Shah et al.

As per claims 8-13 and 33, the rejection is understood to be based in part on the premise that Oracle teaches the invention substantially as claimed, except for the particular aggregation functions recited in the claims. Official Notice is taken that the aggregation functions are old and well-known to those skilled in the art of data analytics and/or modeling.

Applicant respectfully traverses the rejection. Even assuming *arguendo* that the recited aggregation functions are old and well-known, Oracle in view of Official Notice nevertheless fails to disclose all of the limitations of claims 1 and 26, from which claims 8-13 and 33 depend. Accordingly, claims 8-13 and 33 are patentable over Oracle in view of Official Notice at least by reason of their dependency from claims 1 and 26.

Based at least on the above remarks, Applicant respectfully submits that the currently pending claims are patentable over the prior art of record and requests reconsideration and removal of the rejections under 35 U.S.C. § 103(a).

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**PATENT**

**CONCLUSION**

In view of the above amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application is respectfully requested.

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